

LAW OFFICES OF BASTIAN & DINI
ROBERT L. BASTIAN, JR. [SBN 170121]
MARINA R. DINI [SBN 169176]
9025 Wilshire Blvd., Suite 500
Beverly Hills, CA 90211
Telephone: (310) 789-1955
Facsimile: (310) 822-1989
email: robbastian@aol.com
email: miadini@aol.com

NOTE: CHANGES MADE BY
THE COURT

Attorneys for Plaintiff
LLOYD JOSEPH COLLINS

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LLOYD JOSEPH COLLINS,

Plaintiffs,

vs.

STATE OF CALIFORNIA, *et al.*,

Defendants.

Case No. 2:15-CV-00710-FFM

**DISCOVERY STIPULATION &
~~[PROPOSED]~~ PROTECTIVE
ORDER**

*[Before the Honorable Magistrate
Frederick F. Mumm]*

Subject to the approval of this Court, the parties hereby stipulate to the following protective order:

In connection with discovery proceedings in this action, the parties may designate any document, thing, material, testimony or other information derived therefrom as "Confidential" under the terms of this Stipulated Protective Order (hereinafter "Order"). Confidential information is information which has not been made public and which concerns or relates to plaintiff LLOYD JOSEPH COLLINS' Request for Production, Set One, propounded on defendant COUNTY OF LOS ANGELES, Nos. 1-9, 11, 13 and 15 [relating to jail documents and inmate complaints], and plaintiff LLOYD JOSEPH COLLINS'

DISCOVERY STIPULATION AND ~~[PROPOSED]~~ PROTECTIVE ORDER

1 Request for Production, Set One propounded on defendant CHP OFFICER
2 DANIEL J. RINGWELSKI [#019101 [relating to the underlying subject internal
3 affair's investigation, personnel files, performance evaluations and related
4 documents], Nos. 1-3, 5-6, 8-16, 19, 21, 22, 24, 28.

5
6 **GOOD CAUSE STATEMENT:** Good cause is present because
7 widespread dissemination of such materials without district court supervision
8 may interfere with the settled privacy expectations of third party witnesses or
9 the participants in such investigations, exposing such persons to
10 embarrassment unrelated to what is necessary for this litigation and possible
11 retaliation.

12
13 Having found good cause, IT IS HEREBY ORDERED by this Court that
14 any items produced by defendants in response to plaintiff LLOYD JOSEPH
15 COLLINS' Request for Production, Set One, propounded on defendant
16 COUNTY OF LOS ANGELES, Nos. 1-9, 11, 13 and 15 [relating to jail
17 documents and inmate complaints] and plaintiff LLOYD JOSEPH COLLINS'
18 Request for Production, Set One propounded on defendant CHP OFFICER
19 DANIEL J. RINGWELSKI [#019101][relating to the underlying subject internal
20 affair's investigation, personnel files, performance evaluations and related
21 documents] shall be disclosed to counsel for the parties under the following
22 protective order:

23 1. Prior to use in this litigation, the "Confidential Material" shall be
24 stamped or otherwise marked: "Confidential Material subject to protective
25 order."

26
27
28 **DISCOVERY STIPULATION AND ~~[PROPOSED]~~ PROTECTIVE ORDER**

1 2. The "Confidential Material" shall be used solely in connection with
2 this litigation in the preparation and trial of this case, or any related
3 proceeding, and not for any other purpose or in any other litigation.

4 3. The "Confidential Material" may be disclosed only to the following
5 persons:

6 (a) counsel for any party to this action;

7 (b) paralegal, stenographic, clerical, and secretarial personnel
8 regularly employed by counsel referred to in (a);

9 (c) court personnel including stenographic reporters engaged in
10 proceedings as are necessarily incidental to preparation for the trial of this
11 action, including trial;

12 (d) any outside expert or consultant retained in connection with this
13 action and not otherwise employed by either party;

14 (e) any in-house expert designated by any party to testify at trial in
15 this matter;

16 (f) witnesses who may have the documents disclosed to them during
17 deposition proceedings, may not leave the deposition with copies of the
18 documents, and shall be bound by the provisions of paragraph 4;

19 (g) parties to this litigation.

20 4. Each person to whom disclosure is made hereunder shall, prior to
21 the time of such disclosure, be provided by the person furnishing him/her
22 such material, a copy of this order, and shall agree on the record or in writing
23 that he/she has read the protective order and that he/she understands the
24 provisions of the protective order and agrees to be bound by the same.

25 5. At the conclusion of the trial and of any appeal, or upon other
26 termination of this litigation, all "Confidential Material" received in the
27 provision of this order (including any copies made) shall be tendered back to
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1 counsel for the County of Los Angeles and State of California. Provisions of
2 this order insofar as they restrict disclosure and use of the "Confidential
3 Material" shall be and remain in effect until further order of this Court.

4 6. The addresses, telephone numbers and other personal identifying
5 information of the parties, or their family members, shall not be disclosed even
6 under the terms of this protective order and such information is to be redacted
7 before any disclosure of "Confidential Material." In the event of inadvertent
8 disclosure, immediate steps will be taken to redact that information before
9 further disclosure.

10 7. Further, the respective counsel for plaintiff, County of Los Angeles
11 and State of California, hereby agree that any and all witness information,
12 including that of plaintiff and/or defendant's date of birth, home addresses,
13 social security number, driver's license number, names and personal
14 information of family members, shall remain redacted from all documents
15 previously disclosed, and to be disclosed under this protective order.

16 8. The foregoing is without prejudice to the right of any party: a) to
17 apply to the court for a further protective order relating to any confidential
18 material, or relating to discovery in this litigation; b) to apply to the Court for
19 an order removing the "Confidential Material" designation from the document;
20 c) to apply to the Court for an order compelling production of documents or
21 modification of this order or for any order permitting disclosure of
22 "Confidential Material" beyond the terms of this order.

23 9. Any document filed with the Court that reveals "Confidential
24 Material" shall be **submitted for filing under seal along with an application**
25 **pursuant to Local Rule 79** ~~filed under a sealed label~~. **The submitted**
26 **document should be contained in an envelope** with a cover sheet as follows:
27 "This document is subject to a protective order issued by the Court and may
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1 not be copied or examined except in compliance with that order." Documents
2 so labeled shall be kept by the Court under seal **to the extent the Court grants**
3 **the application** and shall be made available only to the Court or counsel.

4 **(FFM)**

5 10. The persons bound by this agreement agree to subject themselves
6 to the jurisdiction of the above-captioned federal court for purposes of the
7 enforcement of this agreement and further understand that violation of this
8 agreement subjects the violator to the contempt power of the federal court and
9 any other remedies available to the aggrieved parties.

10 11. If a party to whom "Confidential Material" has been produced is
11 subpoenaed or ordered by another court or administrative agency to produce
12 information that is subject to this protective order, such party shall notify
13 promptly the party who produced the material of the pending subpoena or
14 order. It is the producing party's responsibility to take whatever action it
15 deems appropriate to challenge the subpoena or order in the issuing court or
16 agency. The party subject to the subpoena or order shall not produce any
17 "Confidential Material" in advance of the date required by the subpoena or
18 order. Nothing herein shall be construed as relieving anyone subject to this
19 order from any obligation to comply with a validly issued subpoena or
20 order. **(FFM)**

21 APPROVED AND SO ORDERED:

22
23 DATED: October 27, 2015

24 /S/ FREDERICK F. MUMM
25 THE HON. FREDERICK F. MUMM
26 United States Magistrate Judge
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DISCOVERY STIPULATION AND ~~[PROPOSED]~~ PROTECTIVE ORDER